

**ORDINANCE NO. 7
SERIES 2005**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO AMENDING CHAPTER 15, ARTICLE 4, SECTION 15-4-1 (DEFINITIONS); CHAPTER 15, ARTICLE 8, SECTION 15-8-3 (STANDARDS FOR USES) AND SECTION 15-8-4 (DESIGN STANDARDS FOR PARKING AREAS); CHAPTER 15, ARTICLE 11, SECTION 2,(ROAD AND SIDEWALK STANDARDS); CHAPTER 15, ARTICLE 12, SECTION 15-12-1(STAGES OF THE DEVELOPMENT REVIEW PROCESS) AND SECTION 15-12-5 (PROVISIONS FOR PUBLIC NOTICE); AND ENACTING CHAPTER 15, ARTICLE 18 (DESIGN REVIEW) AND CHAPTER 15, ARTICLE 19 (LARGE RETAIL DEVELOPMENT DESIGN STANDARDS) OF THE CITY CODE OF THE CITY OF GUNNISON

WHEREAS, the City of Gunnison, Colorado (“the City”) as a home rule municipality, has broad constitutional and statutory powers to regulate the use of land within the City limits; and

WHEREAS, pursuant to said authority and the provisions of City of Gunnison Municipal Home Rule Charter, Article 1, Section 1-2 and Article 6, Section 6-2, the City has adopted certain policies, plans, ordinances and resolutions pertaining to the development of property within the City, including the City’s Master Plan and the Land Development Code; and

WHEREAS, the 1994 City of Gunnison Master Plan, Volume I, Vision Statement states that “all future land use and development will proceed in a planned and balanced manner in order that it be harmonious with the natural and built environment, so that public utilities, services, and facilities meet the growing needs of the community and to ensure public health”; and

WHEREAS, the 1994 City of Gunnison Master Plan, Volume II, Land Use and Growth Intent Statement, directs the City to create an efficient, well-ordered and safe community which will accommodate a variety of desirable residential, commercial, industrial, and public land uses in a land use pattern which considers both the economy and the environment and will protect and enhance the values, appearance, and lifestyle of the community; and

WHEREAS, the City enacted a temporary moratorium (Ordinance 9, Series 2004) on retail sales establishments occupying more than 50,000 square feet (superstores) and in that ordinance directed City staff to develop recommendations to the Planning Commission and City Council pertaining to the development, location, size and design of superstores and the redevelopment of abandoned superstore buildings within the City; and

WHEREAS, pursuant to Section 15-15-2-A of the Land Development Code, the Planning & Zoning Commission has initiated a Text Amendment to establish regulations to address superstore developments; and

WHEREAS, pursuant to Section 15-15-3 of the Land Development Code, the Community Development Director has determined that the Text Amendment Application to be complete, and further determined that the proposed Text Amendment complies with Review Standards for Text Amendments as described in Section 15-15-5 of the Land Development Code; and

WHEREAS, the Planning and Zoning Commission held a public hearing for this Text amendment on April 6, 2005, and considered the research used to create this ordinance and heard public testimony regarding the Text Amendment, and thereafter recommended to the City Council the adoption of the Text Amendment as contained herein; and

WHEREAS, the City Council held a public hearing on April 26, 2005 for this Text Amendment recommendation from the Planning and Zoning Commission; and

WHEREAS, the City Council finds the proposed amendments established by this ordinance conform to Review Standards for Text Amendments as stated in Section 15-15-5.

**NOW THEREFORE THE CITY COUNCIL OF THE CITY OF GUNNISON,
COLORADO ORDAINS THAT:**

Section 1. Chapter 15, ARTICLE 4, DEFINITIONS, Section 1, Definitions, City of Gunnison Land Development Code is hereby amended to include the following definitions as set forth below.

Bike Lane means a facility where both sides of the roadway or shoulder are striped, signed, and marked for exclusive or preferential bicycle use, and where vehicle parking is not permitted, unless otherwise specified. The minimum bike lane width shall be five feet for bike lanes adjacent to curb and gutter, four feet where there is no curb, and six feet where the lane is next to parallel parking.

Bike Route means a facility designated by signing to help make motorists aware of the presence of bicycles, which share the right-of-way with motor vehicles.

Cutoff Angle means the angle, measured up from the nadir, between the vertical axis and the first line of sight at which the bare source (the bulb or lamp) is not visible.

Full Cutoff Fixture means a luminary that, by design of the housing, has a cutoff angle of less than 90 degrees. Full cutoff fixtures must be installed in a manner which maintains a cutoff angle of less than 90 degrees.

Large Retail Sales Establishment means a building containing a store or stores, with a floor area greater than 50,000 square feet, in which retail sales of goods and services are transacted between a commercial outlet and the ultimate consumer.

Multi-Use Trail means a 10 foot wide treadway separated at least eight feet from motorized traffic, located within an easement dedicated for public use or within a street right-of-way.

Primary Facade means a building wall plane that faces the primary street frontage, faces parking lots meant to be used by consumers, or is within 200 feet of a public street. Any wall plane that faces either Highway 50 or Highway 135 shall be considered a primary facade.

Secondary Facade means a building wall plane that is not a Primary Facade.

Section 2. Chapter 15, ARTICLE 8, OFF-STREET PARKING STANDARDS, Section 3 (Standards For Use), City of Gunnison Land Development Code is hereby amended to have Paragraph D (Prohibited Uses of Required Spaces) read as follows and to add a new Paragraph E to read as follows:

D. Prohibited Uses of Required Spaces. Off-street parking spaces shall be available for the parking of operable automobiles of the residents, customers, and employees of the designated use. Prohibited use of required spaces shall be as follows:

1. **Storage.** The storage of materials and/or inoperable vehicles.
2. **Delivery Vehicles.** The parking of delivery vehicles operated by the designated use.
3. **Vehicles for Sale.** The display of vehicles for sale in commercial or industrial parking areas, except for the casual display of vehicles by owners who are employees or customers using the premises.
4. **Repair Work.** Repair work that renders a vehicle inoperable for periods greater than 24 hours in a parking area required for a commercial use.
5. **Storage of Shopping Carts.** Parking stalls may be designated for shopping cart drop-off areas so long as those stalls are in addition to the required number of parking spaces.

E. Space for Customer Drop-Off of Shopping Carts. Large retail sales establishments shall plan and develop shopping cart drop-off locations within the parking lots. At least one cart drop-off location (9' x 19.5') shall be included for every 70 parking spaces. Parking spaces can be dedicated to this purpose, but the said spaces shall not be included in the count of required parking spaces.

Section 3. Chapter 15, ARTICLE 8, OFF-STREET PARKING STANDARDS, Section 4 (Design Standards for Parking Areas), Paragraph B (Dimensions), City of Gunnison Land Development Code is hereby amended to read and to include the table and graphics as follows:

B. Parking Lot Dimensions. Standard parking spaces and aisles shall conform to the dimensions provided in Table 15-8-4, Minimum Parking and Aisle Dimensions:

Table 15-8-4 MINIMUM PARKING AND AISLE DIMENSIONS						
A Parking angle	B Stall width (feet)	C Stall length (feet)	D Stall depth (feet)	E Curb length (feet)	F 2-way aisle width (feet)	G 1-way aisle width (feet)
0 degrees	9.0	23.0	N/A	23.0	22.0	16.0
45 degrees	9.0	20.0	20.5	12.0	22.0	16.0
60 degrees	9.0	19.5	21.0	10.5	22.0	18.0
90 degrees	9.0	19.5	19.5	9.0	24.0	22.0
NOTE: Large retail sales establishment developments shall be designed with 90 degree parking stalls. Non-perimeter stalls shall be designed to be entered from either direction.						

Section 4. Chapter 15, ARTICLE 8, OFF-STREET PARKING STANDARDS, Section 4 (Design Standards for Parking Areas), Paragraph D (Tandem Parking), City of Gunnison Land Development Code is hereby amended by deleting two graphics titled, “Parallel Parking Space Dimensions” and “Angle Parking Space Dimensions,” respectively.

Section 5. Chapter 15, ARTICLE 8, OFF-STREET PARKING STANDARDS, Section 4 (Design Standards for Parking Areas), Paragraph F (Compact Car Spaces), City of Gunnison Land Development Code is hereby amended to read as follows:

F. Reserved.

Section 6. Chapter 15, ARTICLE 8, OFF-STREET PARKING STANDARDS, Section 4 (Design Standards for Parking Areas), Paragraph G (Parking for the Handicapped), City of Gunnison Land Development Code is hereby amended to read as follows:

G. Physically Disabled Parking. Standards contained herein do not supersede or take the place of requirements established in the Americans with Disabilities Act. Any use requiring accessibility to physically disabled persons defined in the International Building Code, as adopted and amended by the City, shall provide accessible parking spaces for the disabled according to the following schedule.

Total Number of Parking Spaces	Required Accessible Ratio
1-100	1 accessible space per 25 parking spaces
101-200	1 accessible space per 50 parking spaces
+200	1 accessible space per 100 parking spaces
NOTE: For every six or fraction of six accessible parking spaces, at least one shall be a van accessible space.	

Parking spaces for the physically disabled shall have a minimum stall width of nine feet, unless it is a required van accessible space, which shall be 11 feet minimum. All accessible spaces for the physically disabled shall have an elevated standard identification sign. The sign shall be 12 inches by 18 inches, with a height not to exceed seven feet. The standard sign colors shall be white on blue.

Section 7. Chapter 15, ARTICLE 11, IMPROVEMENT STANDARDS, Section 2 (Road and Sidewalk Standards), Paragraph D (Street Design Standards), sub-paragraph 17 (Sidewalks), City of Gunnison Land Development Code is hereby amended to read as follows:

17. Sidewalks. An attached or detached sidewalk, at least three feet wide, with a thickness of at least four inches of concrete, shall be installed along at least one side of all local streets in a development. Street sidewalk systems shall connect to open space walks, trails, and adjacent walks in appropriate places.

a. Sidewalks. Sidewalks along collector and arterial streets shall be separated by a distance of at least 10 feet from the curb or street pavement edge.

b. Multi-Use Trails. Multi-Use Trails shall have a 15 foot wide right-of-way or easement dedicated for public use and shall have a 10 foot wide treadway surface centered on the

easement center line. The treadway shall be constructed with a four inch concrete reinforced slab (four inch wire mesh or equivalent).

- c. **Planting.** Where separated sidewalks are required, the planting areas, or that unpaved portion of the right-of-way between the curb and sidewalk, shall be landscaped and maintained by the owner of the abutting property. Landscaping shall be limited to sod and/or grass from seed, except that trees, shrubs, or other plant materials may be used, subject to City approval of the location and species of planting materials to be installed. Xeriscaping, using drought-tolerant native vegetation, is strongly encouraged.
- d. **Ramps.** Curb cuts or ramps for wheelchair accessibility shall be installed at the ends of blocks and at least every 300 feet for larger blocks. Location and design of ramps internal to a development shall comply with all applicable provisions of the International Building Code as amended and adopted by the City.

Section 8. Chapter 15, ARTICLE 11, IMPROVEMENT STANDARDS, Section 2 (Road and Sidewalk Standards), Paragraph E (Traffic Analysis), City of Gunnison Land Development Code is hereby amended to read as follows:

E. Traffic Analysis. The Community Development Director or the Planning Commission (when a proposal is reviewed by the Commission) may require the developer to submit a traffic analysis prepared by a qualified expert to determine impacts of a proposed development on surrounding city streets and to evaluate the need for road improvements to be made. The traffic analysis shall be prepared in compliance with the “Gunnison Transportation Impact Study Guidelines” as amended. Traffic study requirements and special regulations for large retail establishments are specified in Section 15-19-11 (Vehicular Transportation and Circulation) of The City of Gunnison Land Development Code.

Section 9. Chapter 15, ARTICLE 12, DEVELOPMENT REVIEW PROCEDURES, Section 1 (Stages of the Development Review Process), the first paragraph of the said Section, City of Gunnison Land Development Code is hereby amended to read as follows:

15-12-1 Stages of the Development Review Process.

This article sets out the development review procedures which are common to all land development applications in the City of Gunnison. These development review procedures apply to the following types of land development processes: Conditional Uses (Article 13), Variances (Article 14), Amendments to Land Development Code or Official Zoning Map (Article 15), Subdivision/P.U.D. (Article 16), and Design Review Procedure (Article 18).

Section 10. Chapter 15, ARTICLE 12, DEVELOPMENT REVIEW PROCEDURES, Section 5 (Stage 4: Provisions of Public Notice), City of Gunnison Land Development Code is hereby amended to read as follows:

15-12-5 Stage 4: Provision of Public Notice.

A. Notice Required. Table 12-1, Decision-Making Bodies and Public Hearing Requirements for Development Applications, identifies the types of land development applications which shall be considered during a public hearing, and at what step during the review process that hearing shall occur. Public notice shall be provided for each application type that is identified in Table 12-1 as requiring notice to be given. Notice shall be provided as specified in Table 12-1, “Decision-Making Bodies and Public Hearing Requirements for Development Applications,” below.

TABLE 12-1 DECISION-MAKING BODIES AND PUBLIC HEARING REQUIREMENTS FOR DEVELOPMENT APPLICATIONS		
Application Type	Decision-Making Bodies	Public Hearing?
Land Development Code Interpretation	Community Development Director	No
Conditional Use, Vested Property Right	Planning & Zoning Commission	Yes
Variance	Board of Adjustment	Yes
Amendment to Official Zoning Map or Text of Code	Planning & Zoning Commission (recommendation)	Yes
	City Council (decision)	Yes
Major Subdivision/ P.U.D.	Sketch Plan – Planning & Zoning Commission (decision)	Yes
	Preliminary Plat – Planning & Zoning Commission (decision)	Yes
	Final Plat – Planning and Zoning Commission (recommendation)	No
	Final Plat – City Council (decision)	No
Minor Subdivision/ P.U.D.	Preliminary Plat – Planning & Zoning Commission (decision)	Yes
	Final Plat – Planning & Zoning Commission (recommendation)	No
	Final Plat – City Council (decision)	No
Subdivision Exemption	Community Development Director	No
Vacation of Subdivision, Right-of- Way, or Easements	Planning & Zoning Commission (recommendation)	Yes
	City Council (decision)	No
Design Review	Planning & Zoning Commission	Yes
Verification of Zoning Compliance	Community Development Director	No

Section 11. Chapter 15, City of Gunnison Land Development Code is hereby amended by enacting ARTICLE 18, DESIGN REVIEW PROCEDURE to read as follows:

ARTICLE 18 Design Review Procedure

- 15-18-1 Purpose
- 15-18-2 Applicability
- 15-18-3 General Requirements
- 15-18-4 Application, Review and Decision
- 15-18-5 Waivers
- 15-18-6 Appeals
- 15-18-7 Abandoned Building Standards
- 15-18-8 Design Review Standard Objectives

15-18-1 Purpose.

This section establishes the required review and approval procedures for Design Review, which is the review procedure for determining compliance with the site planning and building design standards of the City of Gunnison Land Development Code.

15-18-2 Applicability.

Design review must be successfully completed in accordance with the requirements of this section prior to the start of any of the following activities in any zone district.

A. New Development. Development of new large retail sales establishment.

- B. Building Additions.** Any addition of more than 10,000 square feet to the building floor area of an existing retail sales establishment with an existing building floor area larger than 40,000 square feet.
- C. Building and Site Alterations.** Any alteration or addition to an existing large retail sales establishment affecting the external building appearance, number or location of buildings, function of onsite vehicular/pedestrian circulation, or landscape, screening and buffering features.
- D. New or Modified Pad Sites.** Any alteration, deletion, or addition to pad and/or liner building sites that were included in the original design review approval.

15-18-3 General Requirements.

A design review approval is a binding development order and all improvements reflected on approved site plans must be completed. All restrictions and conditions of design review approval must be fulfilled as follows:

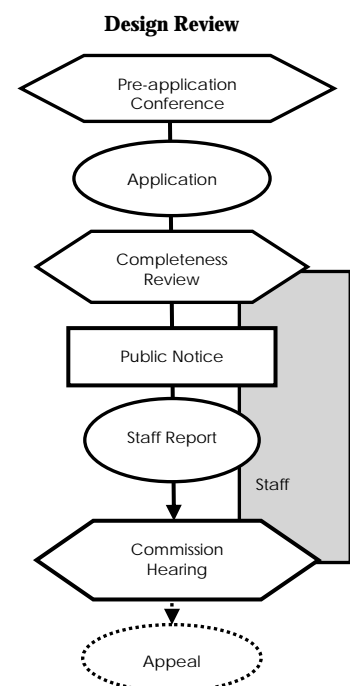
- A. Permit Applications.** No development application or building permit shall be approved unless the site plan reflects all required improvements.
- B. Certificate of Occupancy.** All improvements reflected on approved site plans must be constructed prior to issuance of the Certificate of Occupancy. All terms and conditions of design review approval must be met at the time of issuance of the Certificate of Occupancy, including but not limited to the provisions of Section 15-18-7 (Abandoned Building Standards).
- C. Temporary Certificate of Occupancy.** A Temporary Certificate of Occupancy, with a maximum one year duration, may be issued where an improvement cost estimate, prepared by a Colorado-licensed civil engineer, is submitted along with a development improvement agreement secured by corporate surety bond, irrevocable letter of credit, cash and/or other means acceptable to the Community Development Director. The agreement's collateral amount shall equal 125 percent of the cost as determined to be satisfactory by the Community Development Director.

15-18-4 Application, Review, and Decision.

- A. Pre-Application Conference.** Prior to the submission of development applications, applicants shall attend a pre-application conference as set forth in Section 15-12-2 (Stage 1: Pre-Application Conference). The purpose of the conference is to respond to questions the applicant may have regarding application procedures, standards, or regulations required by this article.

- B. Submittal Requirements.** A complete application for Design Review shall be submitted to the Community Development Director as set forth in Section 15-12-3 (Submission of Development Application). In addition to the minimum submittal requirements specified in Paragraph 15-12-3 paragraph C (Minimum Application Contents), a complete, scaled site plan shall be submitted showing all the existing and proposed uses, lot dimensions for the specified property, and shall, at minimum, include the following:

1. A narrative addressing the proposed development, explaining and tabulating the land uses for the entire site including: planned open spaces, potential traffic generation, overall character and architectural style, the relationship of the proposed development to existing developments within 700 feet of the proposed development's boundaries, and other related development features;
2. Architectural elevations for all facades, a description and sample of building materials, and a description of design elements;
3. Existing topographic contours at two foot intervals;
4. Final grades and grading plan, with topographic contours at two foot intervals;
5. Erosion control plans;
6. Site information, including:



- (a) Percent of area devoted to streets and vehicular circulation;
 - (b) Percent of area devoted to open space and common open space;
 - (c) Square footage of the building footprint of each structure;
 - (d) Percent of area devoted to each land use type proposed;
 - (e) Calculations of gross and net densities, including estimated total floor area for any nonresidential uses per acre;
 - (f) Bearing, distance and curve radii of property boundaries;
 - (g) Existing and proposed structures in relation to the exterior property lines, existing and proposed streets;
 - (h) Setbacks, including corner setbacks and intersection visibility triangles;
 - (i) Curb lines and sidewalks;
 - (j) Floodplains, drainageways, and any proposed detention/retention locations;
 - (k) Drainage plan prepared by Colorado-licensed engineer;
 - (l) Landscaping and screening plan established by a landscape architect who is an active member of the American Institute of Architects;
 - (m) Fences and walls, in plan view and section;
 - (n) Loading and accessibility spaces;
 - (o) Ingress and egress points and intersection design, with sections showing turn lanes, etc.;
 - (p) Off-street parking layout and internal circulation plan, in plan view;
 - (q) Refuse locations;
 - (r) Existing and proposed utility lines and fire hydrants;
 - (s) A master sign plan consisting of five elements that shall govern all signs within the development: location, materials, size, color and illumination;
 - (t) Outdoor lighting plan including the tear sheets for all proposed fixtures, location, mounting height and shielding characteristics of each lighting fixture, both proposed and any already existing on the site;
 - (u) Location map relative to off-site streets and properties;
 - (v) Detailed traffic study per Paragraph 15-19-11-A (Transportation Impact Study Requirements) of this Code;
 - (w) Baseline automobile and truck traffic data for all adjacent neighborhoods within 700 feet of the development site served by local and minor collector streets that link to the development site;
 - (x) Proposed waivers, calling out each waiver using illustrative plans and elevations, and describing in narrative form how each proposed waiver complies with the provisions of Section 15-18-5 (Waivers); and
 - (y) Any additional information requested on a Community Development Department checklist or that may be necessary as requested by the Director to clearly define the intended use of the property and compliance with the applicable standards.
- C. Completeness Review.** The application's completeness review shall be accomplished in accordance with the requirements of Paragraph 15-12-4-A (Completeness Review).
- D. Posting and Public Notification.** Once the application is deemed complete by the Community Development Director, the required public notices shall be issued, as set forth in Section 15-12-5 (Stage 4: Provisions for Public Notice).
- E. Review and Decision.** The Planning Commission shall review each application for Design Review, and act to approve, approve with conditions, remand back to the applicant, or deny the application pursuant to Paragraph 15-12-6-C (Action by Decision-Making Body), of the City of Gunnison Land Development Code. Design Review applications that are being processed concurrently with rezonings or conditional use permits must be reviewed and approved concurrently with the other required approvals.
- F. Notice of Decision.** Within five working days of action by the decision-making body on a Design Review application, the Community Development Director shall mail notice of the decision to the applicant.
- G. Expiration of Approval.** An approved design review application shall expire 12 months from the date of approval unless a complete Building Permit application has been submitted and all required fees paid. The applicant may request vesting of the approved site-specific development plan as described in Section 15-12-7 (Stage 6: Actions Following Development Approval) of the City of Gunnison Land Development Code.

15-18-5 Waivers.

A waiver is intended to provide flexibility in site and architectural design. Alternative site and architectural design elements may be proposed, but a waiver shall not be granted if the deviation from standards will reduce architectural design quality or decrease site development safety or mitigation of conflict with neighboring uses.

Waivers may be requested as part of design review applications. The decision-making body may approve such waivers in accordance with the following requirements:

A. Submittal. A request for a waiver shall be made at the time of the initial application or at any time prior to closing of the Planning and Zoning Commission public hearing. Submittals must comply with the provisions of Paragraph 15-18-4-B (Submittal Requirements) and shall, at minimum, include the following:

1. The specific standard(s) to be waived;
2. The reason the waiver is being requested;
3. A narrative demonstrating that the requested waiver meets the intent of the Large Retail Design Standards, Sections 15-19-7 and/or 15-19-9; and
4. Illustrative plans and elevations.

B. Consideration. Waivers will be considered for the following reasons:

1. **Boundaries, Easement, or Title Constraints.** If an easement or a legal or physical hardship would prevent the building of a structure pursuant to site development standards, a waiver may be approved provided that the approved waiver is the minimum necessary to accommodate the hardship.
2. **Public Outdoor Space Development.** In order to form an outdoor space such as a plaza, courtyard, patio, or garden between a building and the sidewalk, a waiver may be approved, provided that the street yard area shall have landscaping, low walls, a tree canopy or other similar site improvements along the sidewalk designed for pedestrian interest, comfort, and visual continuity.
3. **Number and Design of Parking Spaces.** A waiver of the required number and/or design of parking spaces may be approved provided that the need for existing and future parking is addressed; and the configuration provides for the safety of pedestrians and vehicles.
4. **Orientation.** A waiver may be approved where it is shown that the change in orientation will not adversely affect the overall appearance of the development.
5. **Water, Air Quality, and Energy Conservation.** A waiver may be approved where it is shown that water, air quality, and/or energy conservation will be enhanced. However, a water conservation waiver shall not be used to limit or eliminate vegetation cover.
6. **Vehicular Transportation and Circulation.** A waiver may be approved where it is consistent with the approved Transportation Impact Study.
7. **Landscaping, Screening, and Buffering.** A waiver may be approved where the change from design review standards will mitigate adverse impacts to adjoining uses.
8. **Building Design Standards.** A waiver may be approved for Paragraph 15-19-20-B (Ground Floor Facades), Paragraph 15-19-20-C (Articulation), and Paragraph 15-19-20-F (Materials and Colors). The request must include a description of the alternative elements that will be used to break up larger building mass and emphasize pedestrian scale, show an obvious contrast in building wall planes and justify the preference for alternative materials and colors.

C. Approval. Waivers may be approved only if the decision-making body finds that:

1. The proposed waiver meets the intent of the Design Review process. (Sections 15-19-7 and 15-19-9);
2. The proposed waiver does not increase conflicts with adjoining uses;
3. The proposed waiver does not reduce the architectural design quality of the development as specified in Paragraph 15-19-20-A (Intent);
4. The proposed waiver is not in conflict with the City Master Plan and does not adversely impact the health, safety, or welfare of the community; and
5. The waiver is not in conflict with any other applicable purposes of the City of Gunnison Land Development Code.

15-18-6 Appeals.

Final design review decisions made by the Planning and Zoning Commission may be appealed by the applicant, a city resident, or a city property owner to the City Council. The appeal shall be in the form of a written letter of appeal submitted to the Community Development Director within 30 days of the date the final decision was mailed. The city council, after holding a public hearing may affirm, modify, reverse or remand the application back to the Planning and Zoning Commission with specific directions.

15-18-7 Abandoned Building Standards.

No certificate of occupancy shall be issued for any new building or space that is subject to the provisions of this Article, without compliance with the following requirements.

A. Vacated Building Maintenance and Appearance. All properties developed for commercial purposes including those abandoned by the applicant in favor of new development regulated by this Article, whether they are occupied or not, shall be regularly maintained so they are not allowed to fall into a state of disrepair or neglect. This maintenance requirement shall be established by a covenant or other document considered satisfactory to the City Attorney, memorializing this requirement. At a minimum the following maintenance functions shall occur:

1. The building shall remain fully illuminated inside within 100 feet of all public entrances, and outside including all parking lot areas, consistent with the historic practice.
2. Glazing shall not be boarded and broken windows shall be replaced immediately.
3. Vegetated landscaping shall be watered, trimmed and mowed during the growing season. Dead vegetation shall be replaced immediately.
4. Graffiti shall be immediately removed from the site.
5. Painted or stained building surfaces shall be painted or stained at least every three years or when the surface starts to peel, crack, or fade.
6. Snow removal shall occur within 24 hours after all snow storms.

15-18-8 Design Review Standard Objectives.

Approved design review applications shall comply with the applicable standards of the City of Gunnison Land Development Code, including those of Article 19 (Large Retail Development Design Standards). In carrying out the purpose of this section with respect to the external design and siting of the buildings, it is the intent of this section that the city shall exercise the minimum control necessary to achieve the overall objectives thereof. Approval shall be considered in accordance with the following objectives:

- A. Architecture.** Encourage architectural design features that mitigate the visual impacts of the size and scale of large retail sales establishments.
- B. Neighborhood Compatibility.** Assure that large retail development site planning promotes compatibility with surrounding residential, commercial areas, and other areas in the city.
- C. Pedestrian Friendly.** Promote pedestrian-friendly design and public transit access.
- D. Environmental Sustainability.** Encourage best development practices for energy conservation, watershed management, and air quality protection.
- E. Efficient Transportation Design.** Advance transportation design elements that provide safe and efficient internal circulation and are integrated with the external transportation system.
- F. Master Plan Compliance.** Require compliance of the development's design elements and the development's location with the City's Master Plan.

Section 12. Chapter 15, City of Gunnison Land Development Code is hereby amended by the addition of Article 19 (Large Retail Development Design Standards) to read as follows:

ARTICLE 19 LARGE RETAIL DEVELOPMENT DESIGN STANDARDS

- 15-19-1 Purpose
- 15-19-2 Applicability
- 15-19-3 Relationship to Other Land Development Code Standards
- 15-19-4 Conflicts
- 15-19-5 Graphics
- 15-19-6 Site Development Standards
- 15-19-7 Single Building Site Development Intent

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- 15-19-8 Single Building Site Development Standards

- 15-19-9 Multiple Building Site Development Intent
- 15-19-10 Multiple Building Site Development Standards
- 15-19-11 Vehicular Transportation and Circulation
- 15-19-12 Pedestrian and Bicycle Access
- 15-19-13 Central Features and Community Space
- 15-19-14 Loading, Service Areas, and Vehicle Service Bay Doors
- 15-19-15 External Lighting
- 15-19-16 Residential Protection
- 15-19-17 Landscaping, Screening, and Buffering
- 15-19-18 Exterior Sales Displays
- 15-19-19 Master Sign Plan
- 15-19-20 Building Design Standards

15-19-1 Purpose.

These standards are intended to ensure that large retail sales establishment development is compatible with its surrounding area and contributes to the unique community character of Gunnison.

15-19-2 Applicability.

The standards of this article shall apply to all developments as set forth in Section 15-18-2 of the City of Gunnison Land Development Code.

15-19-3 Relationship to Land Development Code Standards.

Standards of the underlying zoning district and any applicable overlay zoning districts shall apply to development that is subject to the provisions of this article. Applicable site development standards of the City of Gunnison Land Development Code include but are not limited to: Chapter 15, Article 8 (Off-Street Parking Standards), Chapter 15, Article 9 (Landscaping and Illumination Standards), Chapter 15, Article 10 (Sign Standards), and Chapter 15, Article 11 (Improvements Standards), except as modified herein.

15-19-4 Conflicts.

Where conflicts are found to exist between the contents of Chapter 15, Article 19 and other articles in the City of Gunnison Land Development Code, the more restrictive standard(s) shall apply.

15-19-5 Graphics.

Where graphics included in this section conflict with the text language, the text language shall control.

15-19-6 Site Development Standards.

Large retail sales developments may include the following: (a) single large retail sales buildings, (b) multiple large retail sales buildings, or (c) large retail sales building(s) with pad/liner sites comprising a complex that is planned, developed, owned, or managed as a single association. Site development standards address building layout, vehicular circulation, pedestrian circulation, drainage, landscaping, screening, buffering, signage, and architectural design.

15-19-7 Single Building Site Development Intent.

The single building site design standards are intended to create an attractive building in an appealing and functional setting. The integration of structure, surfaces, and natural site features will:

- A. Respect the surrounding commercial and residential neighborhoods by appropriate buffering, screening, and lighting;
- B. Achieve defined edges with landscape, streetscape, and signage to frame a building that uses a variety of architectural features to reflect the character of the community;
- C. Establish a safe and coherent pedestrian and vehicular network within the site and between adjacent neighborhoods in accord with existing and projected traffic patterns;

- D. Provide for energy conservation and efficient use of utility services, minimizing adverse environmental impacts from such effects as storm-water runoff, light pollution, noise, odor, and waste; and
- E. Comply with the City of Gunnison Master Plan.

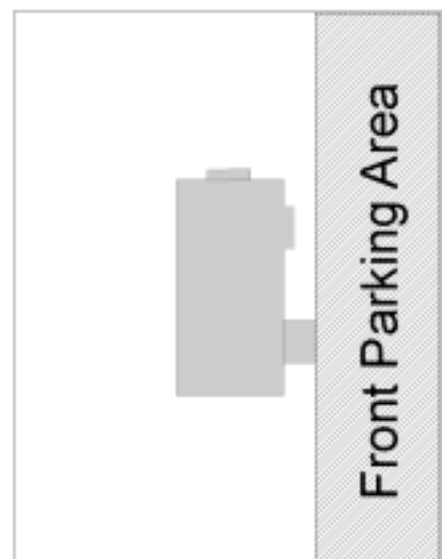
15-19-8 Single Building Site Development Standards.

- A. **General.** Site development shall be designed and constructed in accordance with all of the provisions of Chapter 15, Article 19 as well as all other applicable development standards of the City of Gunnison Land Development Code.
- B. **Orientation.** Building wall planes shall be oriented parallel to primary street frontages and accessways.
- C. **Front Parking.** No more than 50 percent of the required off-street spaces shall be located between the front lot line and a line segment parallel to the entire lot frontage and intersecting the closest point of the building front. All remaining off-street parking shall be located outside of the area delineated by this standard.

15-19-9 Multiple Building Site Development Intent.

The multiple building site design standards are intended to create attractive primary and secondary retail buildings in an appealing and functional setting. The integration of structures, surfaces, and natural site features will:

- A. Respect the surrounding commercial and residential neighborhoods by appropriate buffering, screening, and lighting;
- B. Achieve defined edges by the use of landscape, streetscape, signage, and siting of secondary buildings to frame the primary building. All buildings shall use a variety of architectural features in a common theme to reflect the character of the community;
- C. Establish a safe and coherent pedestrian and vehicular network within the site and between adjacent neighborhoods in accord with existing and projected traffic patterns;
- D. Provide for energy conservation and efficient use of utility services, minimizing adverse environmental impacts from such effects as storm-water runoff, light pollution, noise, odor, and waste;
- E. Comply with the City of Gunnison Master Plan; and
- F. Provide that primary commercial buildings serve as "anchors" for commercial and mixed-use zones. Anchor buildings may be flanked by a variety of supporting, pedestrian-oriented retail storefronts and secondary commercial uses located on pad sites provided that they meet the following design elements:
 1. The siting and design of smaller retail stores (pad sites or liner buildings) shall create an inviting appearance along arterial and highway corridors and within the neighborhood by reducing the project's apparent visual scale and by expanding the range of activities and businesses found within the neighborhood.
 2. The layout of pad site or liner buildings shall relate coherently to the public streets and surroundings (outward) as well as to the main center (inward), and specific siting decisions shall further the general intent of creating a sense of place, focal points, community amenities, and arrival into a commercial center.
 3. The location, orientation of the entry, and architecture of pad site buildings shall frame the entry into the neighborhood and contribute to the development's aesthetic appeal by placing storefront spaces closer to the street and creating a street scene.
 4. Smaller retail stores shall be sited in a liner building configuration or on discrete pads or building pad groups that complement overall site layout and function; they shall not be randomly sited inconsistently with other site plan elements.
 5. The architecture of pad site structures or liner buildings shall be compatible with the development's anchor buildings.



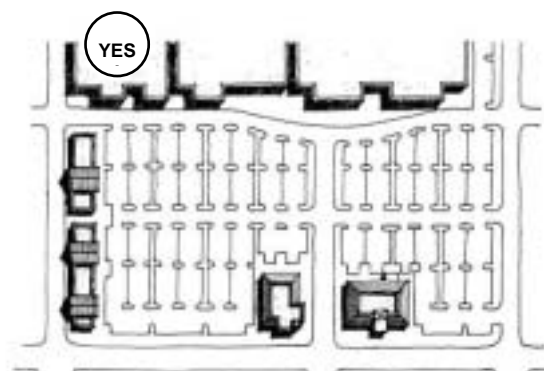
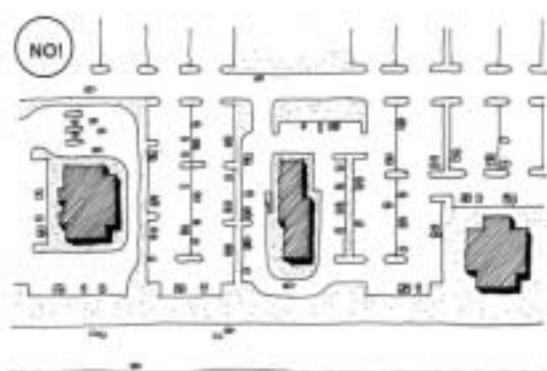
15-19-10 Multiple Building Site Development Standards.

Where multiple buildings are proposed, their footprints may be configured as individual pads, pads wrapping the anchor(s), or contiguous liner buildings wrapping edges of the development. Multiple building layout shall be completed in accordance with the following requirements.

A. General. Site development shall be designed and constructed in accordance with all of the provisions of Chapter 15, Article 19 as well as all other applicable development standards of the City of Gunnison Land Development Code.

B. Location Standards. Pad sites shall be clustered together to define street edges and entry points or to enclose and create community amenities and visual interest between buildings. Pad site building wall planes shall be no more than 100 feet from primary street frontages, major collector streets, or accessways. Isolated pad buildings will be reviewed on a case-by-case basis but shall be adjacent to roads or accessways as required herein.

Orientation. Buildings shall be oriented parallel or perpendicular to primary street frontages or accessways.



C. Front Parking. No more than 20 percent of the required off-street spaces of any pad site building shall be located between the front lot line and the building's front elevation. All remaining off-street parking shall be located outside of the area delineated by this standard. Additionally, no more than 50 percent of the parking dedicated to the large retail sales establishment (anchor building) shall be located between the front lot line and that building's front elevation.

D. Phasing. If a large retail sales development is built in phases, the phasing shall be established as part of the design review. Site improvements for phased developments including, but not limited to landscaping, circulation, parking, and drainage shall be guaranteed by a development improvement agreement secured by corporate surety bond, irrevocable letter of credit, cash, and/or other means acceptable to the Community Development Director. The applicant shall submit to the Community Development Director estimates of the cost of completion of each required improvement, made by the applicant's engineer, along with the schedule of construction and completion thereof. The collateral amount shall equal 125 percent of the prescribed cost as determined to be satisfactory by the Community Development Director.

15-19-11 Vehicular Transportation and Circulation.

A. Transportation Impact Study Requirements. A detailed Transportation Impact Study (TIS) shall be prepared consistent with the "Full TIS" requirements of the Gunnison Transportation Impact Study Guidelines as amended. Those guidelines include a description of all necessary procedures and analysis as well as steps to identify any transportation mitigation measures.

B. Intersection Visibility. Intersection visibility zones shall be provided and kept free of visual obstructions in accordance with the requirements of Subparagraph 15-9-4-A-3 (Obstructions Prohibited). All access points and curb cuts shall provide adequate intersection sight distance as set forth in the American Association of State Highway and Transportation Officials guidelines: A Policy on Geometric Design of Highways and Streets, latest edition.

C. Primary Street Frontage Access Points. A maximum of one curb cut shall be allowed per primary project frontage provided, however, that a second access driveway on a given frontage may be approved where:

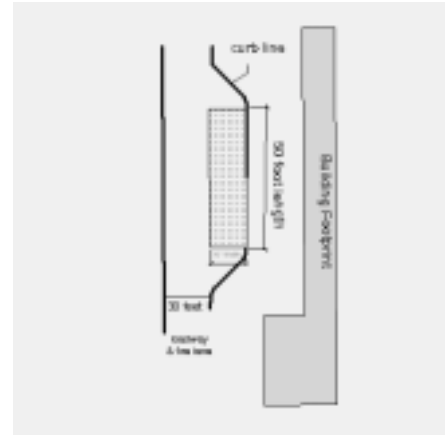
1. At least one driveway is located in a manner whereby it can, both physically and legally, serve to access an adjacent commercial lot, tract, or development;

2. An on-site circulator roadway is provided to connect the adjacent site(s) accesses and provide cross-site circulation;
 3. Any multiple access designs conform to the provisions of Paragraph 15-19-11-J (Driveway Spacing Requirements) of the City of Gunnison Land Development Code; and
 4. It can be shown by analysis of a licensed civil engineer with a specialty in traffic engineering that the sharing of access between the adjacent site(s) will improve traffic operation on the main street frontage.
- D. Side and/or Rear Lot Line Curb Cuts and Access.** If the development will include secondary access points from side or rear lot lines, a plan for these access points shall be provided as part of a design review application. These secondary access points shall be designed to accommodate commercial delivery trucks. Any side or rear access point must be designed in a manner whereby delivery trucks avoid, to the maximum extent feasible, all public parking lots and internal circulation roads serving the general public. The required transportation impact study shall demonstrate that any side or rear access point will not unduly impede vehicular and pedestrian circulation on the related public rights-of-way or adjacent residential neighborhood.
- E. Access to Local Streets.** Access to large retail establishments from designated Local Streets, as defined in the City of Gunnison Master Plan, is prohibited.
- F. Access to Minor Collector Streets.** Access onto minor collector streets that serve adjacent residential areas is prohibited unless it can be shown that the site traffic will not have a negative impact on adjacent residential areas and the access is approved by the city. Additionally, the city may require a license plate cut-through traffic study to be completed after the project completion if residential neighborhood traffic is perceived to have significantly increased. Negative impacts on adjacent residential areas are defined to include but not be limited to:
1. Any increase in delivery truck traffic in the adjacent residential area (10 or more delivery truck trips per day serving the development); and
 2. An increase in cut-through traffic in the adjacent residential area by those that do not live within the adjacent residential area that exceeds the greater of: (a) 20 percent of the existing residential traffic volume on a given roadway or (b) 200 cars per day.
 3. Traffic impacts that exceed either of the thresholds in 1 and 2 above will require mitigation of the impact or the closure of the access in question. The costs of cut-through and/or truck monitoring study and any mitigating measures shall be the responsibility of the owner or owners of the large retail sales establishment. However, the costs of necessary studies will be shared equally between the city and the development owner(s) if negative impacts have not resulted as determined by the related studies.
- G. Internal Drive Connectivity.** Any building, lot, parcel, or other real property that is intended to serve the general public, and that is designed as part of the development plan for a large retail sales establishment, shall be provided with vehicular access from the internal circulation system.
- H. Approval of all Driveways and Access Roadways.** All driveways and access roadways are subject to the approval of the appropriate authority and compliance with other applicable requirements of this subsection.
- I. Cross-Site Access.** To the maximum extent feasible, any large retail sales establishment design review application adjacent to a Commercial District zoned parcel shall provide for easement(s) of adequate size to provide safe and efficient connectivity to the adjacent site(s). Additionally, cross-site access aisles shall be constructed, pursuant to the standards contain herein, up to the property line of the adjacent site(s).
- J. Required Site Access Dimensions.** The following site access and circulation dimensions are required in order to accommodate safe and efficient site access and on-site circulation.
1. Site access driveway with single outbound lane: 32 feet wide, striped with a 14 foot wide outbound lane, and an 18 foot wide inbound lane;
 2. Site access driveway with a double outbound lane: 42 feet wide, striped with a 14 foot wide outbound right turn lane, a 10 foot wide outbound left turn, or left-through lane, and an 18 foot wide inbound lane;
 3. The configuration of the outbound traffic access (one vs. two outbound lanes on a given driveway) shall be based on the findings and recommendations of the approved transportation impact study for the project;

4. Site access drive curb radii shall be at least 28 feet where delivery trucks are not allowed

and 30 feet where delivery trucks are allowed;

5. Internal roadway widths shall be 30 feet; however, designated delivery truck routes shall be 40 feet in width;
6. Minimum driveway throat length shall be 100 feet (between roadway and first access to parking or site circulation);
7. Parking lot stall and aisle dimensions shall comply with Paragraph 15-80-4-B (Parking Lot Dimensions); and
8. All parking and accessway subgrade and surfaces shall be constructed to the City of Gunnison Construction Standards or to a design criterion acceptable to the city's Public Works Director.



- K. Passenger Loading Zones.** In addition to passenger loading zones required by the International Building Code as amended and adopted by the city, each large retail sales establishment shall provide at least one pull-up space directly adjacent to the large retail sales establishment main entrance. Specific location shall be coordinated with the City Fire Marshal. The loading zone length shall be a minimum 50 feet length and 10 feet width. The loading zone shall be signed as a physically disabled loading zone.
- L. Driveway Spacing Requirements.** Site access driveways or access roadways fronting on adjacent roadways that are on the same side of the street shall be separated by at least 250 feet. Site access driveways or access roadways on opposite sides of adjacent roadways shall be aligned with each other or separated by 300 feet where there is no median or access island that controls left turn movements. Greater offsets may be required by the city where left turn storage lanes are required.
- M. Traffic Control at Site Accesses.** All accesses shall be designed and constructed with appropriate traffic control and signage conforming to the Federal Highway Administration's Manual on Uniform Traffic Control Devices, latest edition.
- N. Speed Change Lanes.** Speed change lanes shall be required on collector or arterial roadways when the design hour traffic volume to or from the access will equal or exceed the standards in the Colorado State Highway Access Code, assuming the most appropriate access category. The design of any required speed change lanes shall also comply with the recommendations of the State Highway Access Code.
- O. Restricted Turning Movements.** Where a site driveway accesses an arterial roadway, left turning movements into and/or out of the driveway may need to be restricted based on the findings of the approved traffic study. The preferred method for restricting left turns is the construction of a median that limits the driveway to a one-half or three-quarter access. Turn restriction islands in the throat of a driveway may only be considered if median construction is not possible (e.g., adequate right-of-way width is not available and can not be acquired; adjacent mature trees would have to be removed). The decision to consider a turn restriction island instead of the construction of a median shall be made by the decision-making authority. If allowed, the design of a turn restriction island must be approved by a representative of the city who is a licensed civil engineer with a specialty in traffic engineering.
- P. Bins and Drop-Off Boxes.** Drive-through or drive-by drop-off bins, receptacles or other similar devices for recycling, movie rental returns, newspapers dispensers, or other similar purposes must be located at least 100 feet away from store entrances or primary vehicular intersections with significant motorized traffic flow.

15-19-12 Pedestrian and Bicycle Access.

- A. Connectivity.** New developments shall be laid out and designed to provide walkways, bikeways, and multi-use trails that connect with existing or planned sidewalks, multi-use trails, and destinations such as parks, schools, and shopping areas. Pedestrian walkways shall connect building fronts within a site and building fronts on adjacent sites where cross-site access is possible.
- B. Easements and Treadways.** Multi-use trails, where required, shall have a minimum 15 foot wide, public right-of-way or easement for bicycle and pedestrian uses dedicated to the public.

A 10 foot wide treadway shall be constructed in the center of the right-of-way or easement conforming to the city standards.

C. Bikeway Location Guidelines. Bikeways shall be located to integrate with the existing and future city street and park system. Important criteria used in determining facility types and locations follow.

9. Compatibility with adopted plans, including, but not limited to, the Gunnison Master Plan and the Parks, Recreation, Open Space Master Plan;
10. Safety in terms of existing street width;
11. Existing and potential demand for use;
12. Spacing in relation to other bikeway facilities;
13. Location of schools and other public facilities frequented by bicycle riders; and
14. Location of parks.

D. Bike Racks. Bike racks shall be provided at the rate of one bike parking space per 15 required automobile parking spaces, up to a maximum of 15 required bike parking spaces. The location of required bike racks shall be based on consideration of the safety and convenience of users. Bicycle racks should be of the “Cora” type as depicted in the Transportation Element of the Gunnison Master Plan or as approved by the decision-making body. Cut sheets may be required prior to approval.

E. Internal Pedestrian Circulation Design Standards. Unless otherwise modified herein, pedestrian circulation facilities shall comply with Subparagraph 15-11-2-D-17 (Sidewalks) of the City of Gunnison Land Development Code.

1. Grade-separated sidewalks at least eight feet in width shall be provided along all sides of lots that abut public streets.
2. Multi-use trails shall be constructed in accordance with the adopted provisions of the Transportation Element of the City of Gunnison Master Plan as amended. The decision-making body may also require multi-use trails along the front lot line or front yard of any large retail sales development along either Highway 50 or Highway 135 frontage, or in a configuration that connects with Gunnison County Trail Master plan systems within the Three Mile Area.
3. Continuous internal pedestrian walkways, no less than eight feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all large retail sales establishments and pad or liner buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, street crossings, building, and store entry points.
4. Snow shedding from roof structures adjacent to sidewalks or walkways is prohibited. Cold roof designs that retain snow on the roof or avalanche guards are required on all roof planes that may shed snow on sidewalks or walkways. Additional mitigation may be required where icicles may form on eaves adjacent to walkways or sidewalks.
5. Any large retail sales establishment development sharing a common lot line with another Commercial Zone District parcel shall provide an internal pedestrian walkway to the common property boundary.
6. Continuous sidewalks in conjunction with walkways across the internal access roads shall connect internally and externally to all buildings (pad sites, liner buildings, and anchor buildings) proposed by the site development plan.
7. Sidewalks, no less than eight feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas. Additional sidewalk width shall be provided as needed to accommodate outdoor seating areas adjacent to restaurants to maintain an eight foot wide clear pedestrian circulation area.
8. Internal pedestrian walkways provided in conformance with item 7 (Sidewalks) above shall provide weather protection features such as awnings or arcades within 30 feet of all customer entrances.
9. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low-maintenance, surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

Each retail sales establishment subject to these standards shall contribute to the establishment or enhancement of community and public spaces by providing at least two of the following: patio/seating area, pedestrian plaza or pocket park with benches, commuter parking area, window shopping walkway, outdoor playground area, informational kiosk area, water feature, clock tower, or other such deliberately shaped area, focal feature, or amenity that, in the judgment of the decision-making body, enhances such community and public spaces. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscaping.

15-190-14 Loading, Service Areas, and Vehicle Service Bay Doors.

Areas for outdoor storage, truck parking, loading or off-loading, trash collection, or compaction, recycling collection, or other similar service areas, shall not be oriented toward a street, sidewalk or parking area, unless screened from off-site view. Additionally, such areas shall not be located within 100 feet of residentially zoned property, street, sidewalk, or internal pedestrian walkway. Vehicle service bay doors associated with commercial automobile service facilities shall not be oriented toward a street or residentially zoned property unless screened from off-site view.

15-19-15 Exterior Lighting.

In addition to complying with the requirements of Section 15-9-6 (Illumination Standards) the following regulations apply to exterior lights.

- A.** All exterior lighting shall be provided by full cutoff fixtures.
- B.** Blinking, flashing, rotating, or moving lights are prohibited.
- C.** Exterior light fixtures shall be mounted no higher than 20 feet above the doorway, deck, walkway, driveway, or other occupied areas, or the highest grade point immediately adjacent to the light fixture.
- D.** Illumination of signs is permitted, provided that the luminary meets the requirements of other exterior lighting as set forth in this section. Lighting shall be shielded so as to concentrate the illumination upon the area of the sign and to prevent glare upon the street and adjacent property. Lighting of signs shall not be directed upward into the night sky, and shall not interfere with the vision of drivers or pedestrians, either on the property or adjacent thereto. However, this limitation shall not apply to neon and traditional holiday lighting.
- E.** Illuminated sign faces with an internal light source shall have no less than a 60 percent opaque sign surface.
- F.** Free standing illuminated signs shall not be placed within 50 feet of the property boundary adjacent to a residential zoned district.
- G.** Street, parking, and security lighting shall not be placed within 50 feet of the property boundary unless specific buffering mitigation measures are applied.
- H.** The maximum light trespass originating from exterior lighting shall be 0.5 foot-candles of light at a point 25 feet outside the property line or the parcel from which the light is emitted.

15-19-16 Residential Protection.

The provisions of this section are specifically designed to mitigate impact of large retail sales establishments and related development on existing single-family uses and residential districts (R-1, R-1M, R-2, R-2M, or R-3 district).

- A. Building Location.** No building shall be erected within 100 feet of the lot line of property that is in a residential zone district or that contains a single-family, attached single-family or duplex use; provided, however, that this provision shall not apply across the street from a residential zone district.
- B. Landscaped Buffers Required.** Landscaped buffers shall be designed and constructed in accordance with the requirements of Paragraph 15-19-17-C (Buffering and Landscaping) and shall be provided across the street from or adjacent to any property located in a residential district or containing a single-family, attached single-family or duplex dwelling.

15-19-17 Landscaping, Screening and Buffering.

- A. Landscaping.** Landscaping shall be provided in accordance with the provisions of Chapter 15, Article 9 (Landscaping and Illumination Standards), Chapter 15, Article 4 (Definition: Landscape Area), and Chapter 15, Article 6, Section 5 (Entrance Overlay (EO) District) except as modified below.

1. **Right-of-Way Landscaping.** Subject to the approval of appropriate city or state (CDOT) authorities, all undeveloped portions of the adjacent right-of-way not used for roads, sidewalks, and other public improvements shall be landscaped with trees, shrubs, grasses, ground cover, or other organic and inorganic materials so as to create an attractive appearance in accordance with the requirements of this section. Smooth concrete or asphalt surfaces are not considered landscaping.
 2. **Open Space Landscaping.**
 - a. All on-site, disturbed areas not developed with buildings or off-street parking shall be landscaped with trees, shrubs, grasses, ground cover, or other organic and inorganic materials in accordance with the requirements of this section.
 - b. Landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or organic or inorganic materials at least four feet in width shall be provided along no less than 50 percent of the length of all sidewalks.
- B. Screening.** Where screening is required, it shall be accomplished by the use of vegetated berms, opaque walls, and landscaping in accordance with the following standards.
1. **Height of Screening Devices.** The height of screening devices shall be measured from the highest finished adjacent grade of the element to be screened. Minimum height of required screening shall be three and one-half feet.
 2. **Screening Devices.** All required screening shall be complementary and compatible with surrounding general character and appearance of the neighboring area. In order to meet this standard, required screening shall include a split-faced block wall, a dense planting of trees and shrubs, or a combination thereof. Where trees and shrubs are required, at least one tree and five shrubs shall be required for each 30 linear feet of required screening. In some cases, sculptured landforms with landscaping may be an acceptable alternative to the otherwise required split-faced block wall. The alternative is subject to the approval of the decision-making body.
 3. **Parking Lot Screening.** Parking lots abutting public streets, residential uses, external and internal sidewalks providing connection to public streets, parks, and other public areas shall be screened. Screening shall occur in the designated buffer and be provided by a wall, opaque fence, or planted berm at least three and one-half feet high, measured from the level of the parking lot, three and one-half feet to four feet high, measured from the level of the sidewalk. A densely planted screen may be used. A vegetated screen shall be primarily evergreen plants that will form an opaque screen at least three and one-half feet high within three years.
 4. **Dumpsters.** Common or shared trash dumpsters, trash receptacles, grease containers, and waste/recycling containers shall be completely screened from off-site view. Such dumpsters, receptacles, and containers shall be screened from public view on three sides by a solid fence or wall at least six feet in height and on the fourth side by a solid gate at least five feet in height. The gate and wall shall be maintained in good working order and shall remain closed except when trash transfers occur. The wall and gate shall be architecturally compatible with other buildings and structures on the site.
 5. **Loading and Service Areas.** Loading and service areas shall be screened on at least three sides from off-site view.
 6. **Mechanical Equipment.** Air compressors, mechanical pumps, water heaters, water softeners, utility meters, utility boxes, air conditioners, and other similar types of equipment shall be placed in rear and side yards and screened or mounted on the roof. Where such equipment is mounted on the roof, it shall be screened in accordance with the provisions of Paragraph 15-19-20-G (Roofs).
- C. Buffering and Landscaping.** Buffers shall provide sufficient landscaping to protect adjacent land uses. Buffers may include walls, fences, and berms. Buffering shall comply with the following standards.
1. **Buffer Dimensions.** Buffers shall be developed directly adjacent to and along the entirety of all property lines. They shall comply with the following Table 15-19-17-C.



Table 15-19-17-C: Physical Buffer Requirements						
Building Size (s.f.)	50,000-59,999	60,000-69,999	70,000-79,999	80,000-89,999	90,000-99,999	100,000+
Class A width (ft)	25	30	35	40	45	50
Class B (ft)	15	20	25	30	35	40
<p>R-1, R-1M, R-2 Zone Districts shall be provided with Class A buffers.</p> <p>R-2M, R-3, B-1, Central Business District, and C Zone Districts shall be provided Class B buffers.</p> <p>Any development fronting Highway 50 or Highway 135 shall be provided with a Class A buffer.</p> <p>Buffers may not be required if the large retail sales development property line is adjacent to an Industrial Zone District.</p>						

2. **Buffer Width Reduction.** The width of a required buffer may be reduced by 25 percent if a wall, berm, or a fence is provided that meets the following standards:
 - a. Continuous walls, six feet in height, shall be constructed in a durable fashion of brick, stone, or other material approved by the decision-making body. Each wall shall be located on the center line of the buffer, unless another type of offset is approved by the decision-making body.
 - b. Continuous fences, six feet in height, shall be opaque and constructed of durable wood planks or other material considered acceptable by the decision-making body. Any fence shall have masonry colonnades eight feet in height placed at 25 feet on center. The fence shall be located on the center line of the buffer, unless another type of offset is approved by the decision-making body. Chain link fences, including those with plastic, metal, or wooden slats shall not be permitted.
 - c. Continuous berms shall be at least three and one-half feet tall with a slope grade of 3:1 (horizontal:vertical) or less. Berms shall be vegetated and landscaped to prevent erosion.
 - d. A buffer with a continuous wall less than six feet in height, but no less than three and one-half feet in height, is constructed in conjunction with trees of varied canopy heights, or a combination of trees and tall shrubs with varied canopy heights. The number of trees shall be two times the number required herein (see 15-19-17-C-3).
 - e. The maximum wall or berm height shall be limited in accordance with the requirements of Subparagraph 15-9-4-A-3 (Obstructions Prohibited).

3. **Buffer Landscaping.** Landscaping within a buffer area shall comply with the following standards:
 - a. One conifer tree per each 1,000 square feet;
 - b. One deciduous tree per each 200 square feet;
 - c. One tall shrub (at maturity) per each 100 square feet; and.
 - d. All remaining areas of the landscaped buffer shall be covered with native (low maintenance and low water use) grasses, ground cover, organic or inorganic material. However, organic ground cover material such as bark chips, and inorganic ground cover materials such as aggregate rock, shall not exceed 25 percent of the buffer area.

15-19-18 Exterior Sales or Displays.

- Outdoor display of goods and merchandise shall comply with the standards of this section.
- A. The display area shall not encroach upon or interfere with on-site vehicle access, parking, pedestrian circulation, or required landscaping.
 - B. The display area shall not encroach upon a public street, alley, sidewalk, or other public property unless a permit for any such encroachment has been obtained from the city.
 - C. The display area shall at all times be kept neat, clean, and free of litter and debris.

15-19-19 Master Sign Plan.

The provisions of Chapter 15, Article 10 (Sign Standards) shall apply to developments that include large retail sales establishments provided, however, that a master sign plan shall be required in accordance with the following provisions:

A. Purpose. Master sign plans are intended to provide design compatibility for all signs within large retail sales establishments and associated buildings in order to integrate the signs with the architectural features of the building(s) being signed. Upon approval of the master sign plan, all signage contained within the limits of the development, shall comply with the design standards established by the master sign plan.

B. Master Sign Plan Review Criteria.

1. The plan provides that signs of a similar type and function within the development will have a consistent size, lettering style, color scheme, and material construction that is complementary to building architecture;
2. The plan includes location, on-site directory, and traffic signs; and
3. The plan provides for signs that meet the size limitations, location requirements, and other applicable requirements of Chapter 15, Article 10 (Sign Standards), as modified herein.



C. Freestanding Signs. A maximum of two freestanding signs and one directory sign shall be permitted for developments that include large retail sales establishments. Such signs shall be ground-mounted on a masonry or rock base and be subject to the following requirements:

1. Maximum total height of the sign and base structure shall not exceed eight feet as measured from the nearest adjacent right-of-way grade.
2. Maximum area of the sign face shall be 50 square feet.
3. Such signs shall be located on private property at approved accesses (curb-cuts) to the large retail sales establishment complexes or at intersections.
4. Unless an alternate method of providing traffic and pedestrian safety is approved through the project's master sign plan, all freestanding and directory signs shall be placed within a landscaped area extending a minimum of four feet from the sign in each direction. The landscaped areas shall be measured from the widest point of the base and/or sign.
5. Sign illumination shall be in accordance with Section 15-19-15 (Exterior Lighting).

D. Materials. Reflective sign and base material surfaces are prohibited. Base materials and frames shall be made of materials that are compatible with the materials used in the development.

E. Amendments. Amendments to approved master sign plans may be approved by the Planning and Zoning Commission if the proposed amendments achieve the standards of this section.

F. Effect. After approval of a master sign plan, or an amended master sign plan, all signs shall be erected, placed, painted, or maintained, in accordance with such plan. Such plan may be enforced in the same way as any provision of this Land Development Code.

G. Conformance with New or Amended Master Sign Plan. Signs that do not conform to a new or amended master sign plan shall be brought into compliance within 60 days of the approval.

15-19-20 Building Design Standards.

A. Intent. Building design shall be tailored specifically to the site, the neighborhood and the general area's physical context. The use of building wall and roof articulation, materials, architectural elements, color, and texture features shall ensure visual interest and compatibility with the surrounding neighborhood and comply with Section 15-18-8 (Design Review Standard Objectives), Section 15-19-7 (Single Building Development Intent), and Section 15-19-9 (Multiple Building Site Development Intent).

B. Ground Floor Facades. Ground floor facades abutting public streets and/or parking lots shall have arcades, display windows, entry areas, awnings, or other such features. Animating features such as these must total no less than 60 percent of their facades' horizontal length.

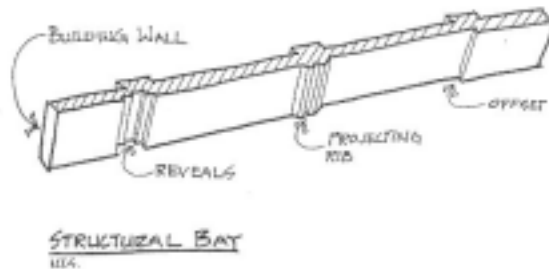
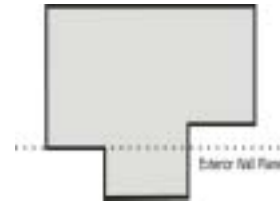
Liner and pad site buildings shall have separate, exterior customer/resident entrances.



liner or pad site buildings shall be transparent between the height of three feet and eight feet above the walkway grade for no less than 60 percent of the horizontal length of the building facade of such additional stores.

C. Articulation.

1. **Exterior Wall Plane.** No single exterior wall plane shall constitute more than 60 percent of any primary facade of 100 feet or more in length. Variations of less than one foot in depth are not considered to break the plane.
2. **Primary Facades.** Any primary facade shall include projections or recesses (articulation) in accordance with this subsection. No uninterrupted horizontal length or uninterrupted curve of such facade shall exceed the lengths set forth below:
 - a. Buildings of less than 20,000 square feet in floor area shall require one articulation of not less than five feet in depth for every 50 feet in length. Such articulation shall extend at least five feet horizontally.
 - b. Buildings 20,000 square feet or more in floor area shall require one articulation of not less than 10 feet in depth for every 100 feet in length. Such articulation shall extend at least 10 feet horizontally.
3. **Secondary Facades.** Any facade, other than a primary facade (See Chapter 15, Article 19, Primary Facade), shall include no less than three of the following elements:
 - a. An expression of architectural or structural bays through a change in plane of no less than 12 inches in width, such as an offset, reveal or projecting rib, as shown at right;
 - b. Horizontal separation between projecting ribs, reveals and offsets may vary depending on the building wall manufacture specifications, but shall not be greater than 20 feet on center;
 - c. Material module change;
 - d. Color change;
 - e. Textural change.



- D. **Architectural Elements.** Primary facades of large retail sales establishments shall have clearly defined architectural detail featuring no less than three of the following:

1. Canopies or porticos;
2. Overhangs;
3. Recesses and projections;
4. Arcades;
5. Raised, corniced parapets over the door;
6. Peaked roof forms;
7. Arches;
8. Outdoor patios;
9. Display windows;
10. Architectural details such as tile work, architectural banding, and moldings, which are integrated into the building structure and design;
11. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.



- E. **Building Entrances.** The public access points of large retail sales establishments shall have clearly defined, highly visible entrances featuring at least three of the following elements:

1. Canopies or porticos;
2. Overhangs;
3. Recesses and projections;
4. Arcades;
5. Raised, corniced, parapets over the door;
6. Peaked roof forms;
7. Arches;
8. Outdoor patios;

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9. Display windows;
10. Architectural details such as tile work, architectural banding, and moldings, which are

integrated into the building structure and design;

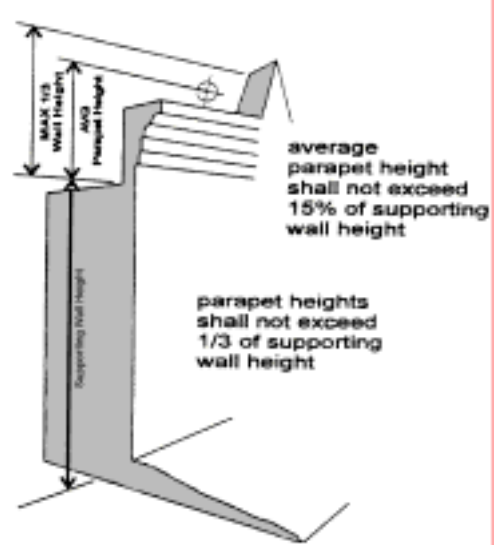
11. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

F. Materials and Colors.

1. Predominant exterior building materials on all sides shall be of high quality, including the following or other materials of similar appearance and characteristics: brick, sandstone, other native stone; tinted/textured concrete masonry units; brick, stone or native veneer; architectural concrete with form, line, texture, mass, and space (negative and positive) elements that establish aesthetic quality; metal for beams, lintels, trim elements and ornaments; wood and log; and glass.
2. Color shades shall be used to unify the development. Facade colors shall be low reflectance, subtle, neutral, earth tone colors. The use of high-intensity colors, metallic colors, black, or fluorescent colors shall be prohibited.
3. Building trim and accent areas may feature brighter colors, including primary colors.
4. Wall surface materials shall not include smooth-faced concrete block, smooth-faced concrete panels or other similar products, aluminum or vinyl siding, or prefabricated steel panels.
5. Metal may be utilized as a roofing material and/or as an accent to other siding materials, provided that all such metal materials used shall have a non-metallic luster.
6. Use of neon as an architectural building accent is prohibited.

G. Roofs. Roofs shall comply with the provisions of Subparagraph 15-19-17-B-6 (Mechanical Equipment) and shall have no less than two of the following features:

1. Parapets, the average height of which shall not exceed 15 percent of the height of the supporting wall, shall not at any point exceed one -third of the height of the supporting wall, and shall feature three-dimensional cornice treatment;
2. Overhanging eaves, extending no less than three feet past the supporting walls;
3. Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one foot of vertical rise for every four feet of horizontal run and less than or equal to one foot of vertical rise for every one foot of horizontal run;
4. Three or more roof slope planes.



INTRODUCED, READ, PASSED AND ORDERED PUBLISHED at a Special Session of City Council this 5th day of May, 2005, on first reading, and introduced, read, passed and adopted on second and final reading this 24th day of May, 2005.

Mayor

ATTEST:

City Clerk